IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINRY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2174 OF 2005

Mahavir Education Trust & Anr. …Petitioners

Versus

The State of Maharashtra & Anr. ...Respondents

Mr. S.G. Surana for the Petitioners

Mr. M.D. Naik, Assistant Government Pleader,
for the Respondents.

CORAM: DALVEER BHANDARI, C.J., &
S. J. VAZIFDAR, J.
DATE: AUGUST 30, 2005.

P.C.:-

1. The learned counsel for the petitioners submits that the petitioner-trust has approached the Shikshan Shulka Samiti (hereinafter, "the Samiti", for short) for increase of the tuition fee. However, instead of increasing the fee, it has reduced the same.

2. The learned counsel appearing for the petitioners and the respondents state that it would be appropriate to request the Samiti to decide the case of the petitioners *de novo*.

3. Without expressing our opinion on merits of the case, we request the Samiti to decide the case of the petitioners *de novo*, after hearing the petitioners, the respondents and other affected parties, as expeditiously as possible. In view of the fact that we are requesting the Samiti to decide the matter *de novo*, we deem it appropriate to set aside the impugned order, which we hereby do. No further directions are necessary in this petition. This petition is accordingly disposed of.

CHIEF JUSTICE

S.J. VAZIFDAR, J.